

(TW)

DEC 22 2005
PATENT & TRADEMARK OFFICE

Docket No. 240316US0X CONT
IN RE APPLICATION OF: Michele BORTONE et al.
SERIAL NO: 10/627,764
FILED: July 28, 2003
FOR: ELASTOMERIC COMPOSITION USEFUL AS TIRE TREADS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:
Transmitted herewith is an **Amendment with attachment** in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Attachment: Copy of *Ex parte Humber*, 217 USPQ 265 (Bd. Pat. App. & Inter. 1981)

The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	16	MINUS	20	0	x \$50 =	\$0.00
INDEPENDENT	2	MINUS	3	0	x \$200 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS				+ \$360 = \$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment				+ \$40 = \$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of **\$0.00** is attached.
- ☐ Credit card payment form is attached to cover the fees in the amount of **\$0.00**
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

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DOCKET NO.: 240316US0X CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :
MICHELE BORTOLOTTI, ET AL. : EXAMINER: SELLERS, R. E.
SERIAL NO: 10/627,764 :
FILED: JULY 28, 2003 : GROUP ART UNIT: 1712
FOR: ELASTOMERIC COMPOSITION :
USEFUL AS TIRE TREADS

AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Office Action dated September 29, 2005, Applicants respectfully request reconsideration of the above-identified application in view of the following amendment and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Discussion of the Amendment begins on page 6 of this paper.

Remarks begin on page 7 of this paper.